

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADAM M. KIRCHEN,

Petitioner,

v.

Case No. 19-cv-10552
Honorable Linda V. Parker

THOMAS O. WINN,

Respondent.

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OPINION AND ORDER GRANTING PETITIONER'S
MOTION TO VOLUNTARILY WITHDRAW
HABEAS PETITION (ECF NO. 20)

Petitioner Adam Michael Kirchen, initially proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, raising claims related to his sentencing. (ECF No. 1.) After Respondent Thomas Winn filed a response to the habeas petition, the Court appointed counsel for Mr. Kirchen and held a status conference with the parties. (*See* ECF No. 11, 13.) Following that conference, the Court issued an order holding the habeas petition in abeyance to allow Mr. Kirchen to return to the state courts to present additional, unexhausted claims, thereby staying this proceeding. (ECF No. 14.) After completing collateral review in the state courts, Mr. Kirchen moved to reopen this case and

proceed on an amended habeas petition. (ECF No. 17.) The Court granted that motion and reopened the case. (ECF No. 18.)

This matter is now before the Court on Mr. Kirchen's motion, filed through counsel, to voluntarily withdraw his habeas petition because he is now on parole supervision, which is expected to be terminated in September 2025. (ECF No. 20.) Having reviewed the motion and agreeing with Mr. Kirchen that the habeas petition is highly unlikely to result in any appreciable relief, the Court finds that he should be allowed to withdraw his petition and, effectively, terminate this case.

Accordingly,

IT IS ORDERED that Mr. Kirchen's motion to voluntarily withdraw his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 20) is **GRANTED**.

IT IS FURTHER ORDERED that Mr. Kirchen's habeas petition (ECF No. 1) is **DISMISSED**.

IT IS FURTHER ORDERED that this case is **CLOSED**.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: April 17, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, April 17, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan

Case Manager